

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH NAGPUR

C.A. No.5679/06 in FA No.374/2006

Office Notes, Memoranda of Coram,

appearances, Court's orders or directions : Court's or Judge's orders
and Registrar's orders.

CORAM : A.P. Lavande, J.

Dated : September 14, 2006

Heard Mr. Patil, learned counsel for
the appellant and Mr. Mehadia, learned
counsel for the respondent.

By this application, the respondent
seeks withdrawal of the amount of Rs.
8,00,000/- deposited by the appellant
pursuant to order passed by this Court.

Having heard learned counsel for
the parties, the respondent is permitted to
withdraw the amount of Rs. 8,00,000/- upon
furnishing bank guarantee of any
Nationalised Bank for an amount of Rs. four
lakhs and upon furnishing security for the
balance amount of Rs. four lakhs to the
satisfaction of Registrar (J) of this Court. In

the event the appeal is wholly or partly allowed the respondent shall refund the amount due in terms of the decree passed by this Court with interest thereon @ 9% p.a. within a period of three months from the date of decree. The respondent shall keep bank guarantee alive during the pendency of the appeal and three months thereafter.

Application stands disposed of.

JUDGE

A.

